

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 28192 of 2018
Date of decision: 02.11.2018**

Keshav Kumar Bansal and others

... Petitioners

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

**Present: Mr. Sanjiv Gupta, Advocate, and
Mr. Rajnish K. Gupta, Advocate
for the petitioners.**

**Ms. Monica Chhibber Sharma, Sr. DAG, Punjab, with
Mr. Kumar Amit, Deputy Commissioner, Patiala.**

KRISHNA MURARI, CHIEF JUSTICE (Oral)

By means of this petition filed under Article 226 of the
Constitution of India, the petitioners have prayed for the following reliefs:-

- I) Whether the impugned order dated 26.10.2018 is
passed on surmises and conjectures?**
- II) Whether the Ld. respondent No.2 is empowered to
take unilateral decision as to whether the licenses are
required to be issued to the traders regarding firecrackers
or not?**
- III) Whether the inaction of respondent No.2 in not
inviting the applications for issuance of temporary licence**

for storage and sale of firecrackers in the vicinity of Patiala is violative of Articles 14, 16 and 21 of the Constitution of India?

IV) Whether the respondents are also guilty of non-complying the directions issued by this Hon'ble Court vide order dated 17.10.2018?

V) Whether the inaction of the respondents is causing loss to the State exchequer and increasing the inflow of illegal firecrackers in the vicinity of Patiala?

VI) Whether grave and manifest injustice has been caused to the rights of the petitioners?

Learned counsel appearing for the State of Punjab has produced before us an order dated 1.11.2018 passed by the Deputy Commissioner-cum-District Magistrate, Patiala. The order impugned in this petition, dated 26.10.2018, stands superseded and a public notice/publication for calling for applications for issuance of one temporary licence for sale of firecrackers has been issued. It may be apposite to extract the relevant paragraph of the said order and the same reads, thus:-

“6. In this regard, an order was passed by the undersigned on 26.10.2018 and circulated under letter No. 183-93-PLA dated 26.10.2018. In view of the observations under Para 5 above, the said order dated 26.10.2018 stands superseded by the instant order, and a Public Notice/Publication for calling for applications for issuance of 1 (one) temporary license for sale of firecrackers within the territorial limits of District Patiala is hereby issued till further orders of Hon'ble Court. The applications for the license shall be submitted up to 4 PM on 02nd November, 2018, in the Room No. 128, A-Block, Mini Secretariat (District Administrative Complex), Patiala. The draw of

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lots will take place in Room No. 109, A-Block, Mini Secretariat (District Administrative Complex), Patiala, at 5:30 PM on 02nd November, 2018.”

The order passed is in consonance with our order dated 17.10.2018. A copy of the order produced before us is taken on record as Mark-A.

In the wake of the above, the petition has lost its efficacy and accordingly stands dismissed as infructuous.

**(KRISHNA MURARI)
CHIEF JUSTICE**

**(ARUN PALLI)
JUDGE**

November 02, 2018
AK Sharma

Whether speaking / reasoned:	YES
Whether Reportable:	NO